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**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q59513

Tominari NOMURA

#3

Appln. No.: 09/583,870

Group Art Unit: 2734

Confirmation No.: Unknown

Examiner: Unknown

Filed: May 31, 2000

For: TRANSMITTER WITH MEANS FOR COMPLEMENTARILY SCALING THE INPUT AND  
OUTPUT SIGNALS OF A D/A CONVERTER

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98**

**RECEIVED**

**JUL 02 2003**

**Technology Center 2600**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith.

1. Japanese Unexamined Patent Application Publication No. 11-27233, published January 29, 1999.
2. Japanese Unexamined Patent Application Publication No. 3-44115, published February 26, 1991.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date for an application other than a continued prosecution application (CPA) under §1.53(d); (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3)

Tominari NOMURA  
09/583,870  
INFORMATION DISCLOSURE STATEMENT

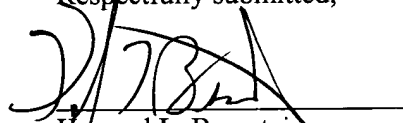
Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a corresponding Japanese Office Action dated April 1, 2003, and an English translation of the pertinent portions thereof, which cites such documents and indicates the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

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Respectfully submitted,

  
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WASHINGTON OFFICE



23373

PATENT TRADEMARK OFFICE

Date: July 1, 2003

Ref Q59513

Claims: 1-8

Cited Literature: 1. Japanese Unexamined Patent Application Publication H11-27233  
2. Japanese Unexamined Patent Application Publication H3-44115

Remarks:

Cited Literature 1, Figure 1 discloses a code division multiplexing transmitter provided with a basic configuration of multiplex unit – DA – power amplification unit, indicating that, in order to reduce gain fluctuation of environmental conditions of the power amplification unit and the like, as per the task corresponding to present Claim 6, a gain control unit (variable ATT) is controlled based on the average output value of an average value computation unit, *ie* level detection result, and on the averaged output of the power amplification unit output.

Moreover, modifying the scale factor of a digital value at a pre-DAC stage based on level detection results and adding a reverse scale factor corresponding to said scale factor in a post-DAC gain control unit in order to prevent signal degradation during DA is a conventional means in using a DAC. Regarding this point, see Cited Literature 2, Figure 2.

The present Claims 1-8 could be easily achieved by a person skilled in the art by adopting the aforementioned conventional means for the DA in Cited Literature 1, modifying the scale factor at a pre-DA stage based on level detection results, *ie* based on the average output value of an average value computation unit, and adding a reverse scale factor for the aforementioned gain control in the aforementioned gain control unit (variable ATT).

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*Complete if Known*

Application Number	09/583,870
Confirmation Number	Unknown
Filing Date	May 31, 2000
First Named Inventor	Tominari NOMURA
Art Unit	2734
Examiner Name	[case examiner]
Attorney Docket Number	Q59513

U.S. PATENT DOCUMENTS

[illegible][illegible][illegible]

**Examiner Signature**

**Date Considered**

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to indicate here if English language Translation is attached.